

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11

GOD'S CHARIOTS TO THE
HEAVENLY HIGHWAY,

Case No.: 16-13585 (SMB)

Debtor.

**CONDITIONAL ORDER GRANTING MOTION OF THE TAX LIEN TRUST
TO DISMISS THE DEBTOR'S CASE OR, IN THE ALTERNATIVE, FOR
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO SECTION 362(D)
OF THE BANKRUPTCY CODE**

Upon the motion of NYCTL 2015-A Trust (the "**Trust**"), filed on February 24, 2017 [Dkt. No. 9] ("**Motion**") seeking an Order dismissing the above-captioned Chapter 11 case pursuant to section 1112(b) of Title 11 of the United States Code ("**Bankruptcy Code**") or, in the alternative, granting the Trust relief from the automatic stay pursuant to section 362(d) of the Bankruptcy Code to allow the Trust to foreclose on its liens on certain real estate located at 844 St. Ann's Avenue, Bronx, New York 10456 (the "**Property**") owned by God's Chariots to the Heavenly Highway (the "**Debtor**"), and upon the exhibits and attachments submitted with the Motion, and the terms of this "**Conditional Order**" having been negotiated by and between the Debtor, proposed counsel for the Debtor and counsel for the Trust, it is hereby,

ORDERED, that on or before June 1, 2017, the Debtor shall do each of the following: (i) file an application with this Court seeking authority to retain bankruptcy counsel; (ii) file an application with this Court seeking authority to retain a real estate broker or auctioneer, which application shall annex an executed proposed retainer agreement; and (iii) provide counsel to the Trust and the Office of the United States Trustee with a copy of a fully-executed and enforceable contract of sale whereby the Debtor agrees to sell the Property to a non-affiliate third party ("**Sale**") for a purchase price which shall generate net sale proceeds in an amount in excess of all

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liens, claims and encumbrances on the Property, subject to higher and better offers and approval of this Court; and it is further

ORDERED, that on or before June 15, 2017, the Debtor shall file a motion or application with this Court seeking approval of the Sale and any procedures necessary or appropriate to effectuate or consummate the Sale; and it is further

ORDERED, that on or before July 30, 2017, a closing for the Sale shall occur on which date the tax lien claims held by the Trust with respect to the Property shall be paid in full, including all post-petition charges, from the proceeds of the Sale; and it is further

ORDERED, that in the event that Debtor fails to comply with any of the provisions of this Conditional Order, including any of the deadlines set forth herein, which may only be extended by written consent of the Trust in its sole discretion, the Trust may submit a certificate to this Court setting forth the circumstances of the Debtor's failure to comply with the terms of this Conditional Order and settling an order, upon five (5) days' written notice to the Debtor, the Office of the United States Trustee and the New York State Attorney General, terminating the automatic stay pursuant to section 362(d) of the Bankruptcy Code in favor of the Trust and its successors and/or assigns to permit the Trust to exercise its rights and remedies with respect to the Property; and it is further

ORDERED, that any order terminating the automatic stay in favor of the Trust shall provide that Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure staying an order granting a motion for relief from the automatic stay for 14 days is waived; and it is further

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ORDERED, that this Court shall retain jurisdiction to hear and to determine all matters arising from or related to implementation of this Conditional Order.

AGREED AND CONSENTED TO:

New York, New York
May 5, 2017

PHILLIPS LYTLE LLP

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SO ORDERED:

Dated: May 5th, 2017
New York, New York

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge